



1637

VIA HAND DELIVERY MAY 22, 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
LaFleur et al.

Docket No.: PZ024P1C1

Application No.: 10/062,548

Group Art Unit: 1637

Filed: February 5, 2002

Examiner: Y. Kim

For: Human Protein HHEPU32 (as amended)

RECEIVED

MAY 27 2003

TECH CENTER 1600/2900

TRANSMITTAL LETTER

Commissioner for Patents  
Alexandria, VA 22313

Sir:

On May 9, 2003, Applicants filed a response to a Restriction Requirement (Paper No. 6, dated April 14, 2003), including the following items:

1. Return Receipt Card;
2. Fee Transmittal (in duplicate);
3. Provisional Election Under 37 C.F.R. § 1.115 With Traverse and Amendment Under 37 C.F.R. § 1.115; and
4. First Supplemental Information Disclosure Statement with Form PTO/SB/08 and copies of references BV-CA.

A copy of each of these items is enclosed. All of these items were received by the Office on May 9, 2003, as evidenced by the date-stamped copy of the Return Receipt Card, also enclosed herewith.

While reviewing the file, the undersigned attorney for Applicants noted that the caption on the Provisional Election document was incorrect, in that it listed the wrong Examiner and Art Unit, and did not include the application number and filing date on the first page (although that application number was present on the top of the remaining pages). The Fee Transmittal, Supplemental IDS, and SB/08 form all contain the proper identifying information.

It appears from the PAIR/PALM entries for this case that the response has not yet been docketed in this application. In light of the errors on the front page of the Provisional Election, Applicants believe that the response may have been either lost or misfiled.

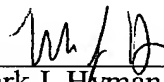
Accordingly, Applicants have provided copies of the previously submitted items listed above; the bibliographic information on the first page of the Provisional Election has been corrected.

Since a complete response to the Office Action was timely filed on May 9, 2003 (as evidenced by the enclosed date-stamped return receipt card), Applicants respectfully submit that the response should be entered as of May 9, 2003, and that no extension of time should be due. However, should the Office determine that the response is not entitled to the prior date of submission, making an extension of time under 37 C.F.R. § 1.136 necessary, Applicants respectfully request such an extension, and the appropriate fee should be charged to our Deposit Account 08-3425.

The Examiner is invited to call the undersigned at the phone number provided below if any further action by Applicants would expedite the prosecution of this application.

Dated: May 22, 2003

Respectfully submitted,

By   
Mark J. Hyman  
Registration No.: 46,789  
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KKH/MJH/FR/ba



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PTO/SB/17 (01-03)

Approved for use through 04/30/2003. OMB 0651-0032

# FEE TRANSMITTAL for FY 2003

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ ) 504.00

## Complete if Known

Application Number 10/062,548-Conf. #3544  
Filing Date February 5, 2002  
First Named Inventor David W. LaFleur  
Examiner Name Y. Kim  
Group Art Unit 1637  
Attorney Docket No. PZ024P1C1

### METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account

Deposit Account Number

08-3425

Deposit Account Name

Human Genome Sciences, Inc.

The Commissioner is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee

to the above-identified deposit account.

### FEE CALCULATION

#### 1. BASIC FILING FEE

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	750	2001	375	Utility filing fee	
1002	330	2002	165	Design filing fee	
1003	520	2003	260	Plant filing fee	
1004	750	2004	375	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$ ) 0.00

#### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
37	-23** = 14	x 18.00 =	252.00
Independent Claims	7	-4** = 3	x 84.00 = 252.00
Multiple Dependent			

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
1202	18	2202	9	Claims in excess of 20
1201	84	2201	42	Independent claims in excess of 3
1203	280	2203	140	Multiple dependent claim, if not paid
1204	84	2204	42	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ ) 504.00

\*\* or number previously paid, if greater; For Reissues, see above

### FEE CALCULATION (continued)

#### 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	410	2252	205	Extension for reply within second month	
1253	930	2253	465	Extension for reply within third month	
1254	1,450	2254	725	Extension for reply within fourth month	
1255	1,970	2255	985	Extension for reply within fifth month	
1401	320	2401	160	Notice of Appeal	
1402	320	2402	160	Filing a brief in support of an appeal	
1403	280	2403	140	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,300	2453	650	Petition to revive - unintentional	
1501	1,300	2501	650	Utility issue fee (or reissue)	
1502	470	2502	235	Design issue fee	
1503	630	2503	315	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	750	2809	375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	750	2810	375	For each additional invention to be examined (37CFR 1.129(b))	
1801	750	2801	375	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ ) 0.00

### SUBMITTED BY

Name (Print/Type) Janet M. Martineau

Registration No. (Attorney/Agent)

46,903

### Complete (if applicable)

Telephone (301) 315-2723

Signature

Date

May 9, 2003